



## State of New Hampshire

### PUBLIC EMPLOYEE LABOR RELATIONS BOARD

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SALEM POLICE RELIEF

Complainant

v.

TOWN OF SALEM

Respondent

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CASE NO. P-0715:12

DECISION NO. 90-40

#### APPEARANCES

##### Representing Salem Police Relief:

Theresa DeNafio, Esq., Counsel

##### Representing Town of Salem:

Robert Leslie, Esq., Counsel

##### Also appearing:

Philip Smith, Salem Police Relief  
Mark F. Cavanaugh, Salem Police Relief  
Devin Kinneen, Salem Police Relief  
James E. Ross, Salem Police Dept.  
William R. Foster, Salem Police Dept.  
Nicholas Manolis, Town of Salem


#### BACKGROUND

PELRB (Board) having considered the evidence and exhibits offered at the hearing, June 6, 1989, with respect to the union's alleged unfair labor practice concerning certain actions relative to Mark Cavanaugh, the Board finds that Police Chief James Ross on March 22, 1989 by official communication to union president Philip Smith, Sr., admitted that the Town had erred on the conditions under which it had hired Officer Cavanaugh and indicated that: -

"We (Town) have concluded that we were in breach of the collective bargaining agreement when we allowed Officer Cavanaugh to become a detective and to qualify for the Master Patrol Track."

ORDER

In view of the above and corrective measures taken by the Town, the Board declares the issue moot and dismisses the complaint in the above case.

  
EDWARD J. HASELTINE  
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Seymour Osman and Daniel Toomey present and voting. Also present, Executive Director, Evelyn C. LeBrun.